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IPW

RESPONSE UNDER 37 C.F.R. § 1.116
EXPEDITED PROCEDURE
GROUP 2814
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q76394

Toshihiro ISE

Appln. No.: 10/644,830

Group Art Unit: 2814

Confirmation No.: 6159

Examiner: Thao X. LE

Filed: August 21, 2003

For: LIGHT EMITTING ELEMENT

RESPONSE UNDER 37 C.F.R. § 1.116

MAIL STOP AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Please consider the remarks below in response to the final Office Action mailed December 21, 2005.

Claims 1 and 3-37 are all the claims pending in the application.

I. REJECTION UNDER 35 U.S.C. § 103

Claims 1, 3-5, 7-13 and 18-37 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,352,791 ("Fink") in view of JP 2001-247498 ("Mori");

Applicant respectfully traverses for the following reasons.

A. Lack of motivation to combine

As stated in the Response filed November 21, 2005, one of ordinary skill in the art would not have been motivated to combine the references and employ the rings taught in Mori as the R groups of Fink's formula (I) based upon the teachings of the references.